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 Attorneys for Defendant/Cross-Claimant
 Steadfast Insurance Company

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

CAPITOL SPECIALTY INS. CORP.,)	Case No.: 2:20-cv-01382-JCM-VCF
)	
Plaintiff,)	STIPULATION RE: SEVERING
)	CROSSCLAIM
vs.)	
)	
STEADFAST INS. CO., e al.,)	
)	
Defendants.)	
)	
_____)	
and related crossclaims)	

TO THE COURT, ALL PARTIES AND THEIR ATTORNEYS OF RECORD:

Defendant/Cross-Claimant Steadfast Ins. Co. ("Steadfast") and Cross-Defendant RHP Mechanical Systems ("RHP"), by and through counsel, stipulate and agree as follows:

WHEREAS, Plaintiff Capitol Specialty Insurance Company ("Capitol"), in this case, has asserted claims against Steadfast associated with underlying claims involving repairs to projects commonly referred to as Milan and Military Road constructed by non-party United Construction Co. ("United");

WHEREAS, Steadfast filed a Motion to Dismiss directed to Capitol's claims that this Court denied via an Order issued on on March 31, 2022 [Dkt. No. 88];

WHEREAS, by virtue of this Court's Order, Steadfast filed an Answer on April 28, 2022 [Dkt. No. 98] that also included a crossclaim against RHP in connection with repairs performed as

1 to a third project United constructed commonly referred to as Virginia Street;

2 WHEREAS, RHP filed a Motion to Dismiss the Crossclaim on June 1, 2022 [Dkt. No. 101]
3 in which RHP argues, inter alia, that the Crossclaim raises issues that are not related to the balance
4 of claims at issue, a position that Steadfast opposed;

5 WHEREAS, the initial expert disclosure deadline is set for July 7, 2022 [Dkt. No. 95];

6 WHEREAS, in response to an initial round of written discovery that Steadfast served on
7 May, 25, 2022, RHP responded to these requests on June 24, 2022 by raising various objections to
8 the written discovery for which a dispute exists;

9 WHEREAS, without responses to the discovery and the production of responsive
10 documents, Steadfast has not taken the deposition of any representatives of RHP, and therefore has
11 not yet completed lay discovery in advance of the July 7, 2022 expert disclosure deadline;

12 WHEREAS the agreement between Steadfast and RHP to sever the cross-claims shall have
13 no effect on the pending Motion to Dismiss [Dkt No. 101] and is stipulated to for the purpose of
14 setting separate discovery deadlines to address the Virginia Street claims, if necessary contingent
15 upon the Court's ruling, and as not to delay discovery in the underlying matter brought by Capitol
16 Specialty.

17 WHEREFORE, rather than involve this Court in the dispute and seek to extend the
18 discovery deadline, the parties are amenable to severing the Crossclaim from the remainder of the
19 case so as to permit for the setting of separate pretrial deadlines that take into consideration that no
20 Answer has yet been filed in connection with the Crossclaim;

21 IT IS SO AGREED.

22 Dated: June 30, 2022

23 MORALES FIERRO & REEVES

TYSON & MENDES

24
25 By /s/ William C. Reeves
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By /s/ Jessica West
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Attorneys for RHP

1 The Court, having considered the stipulation of the parties and good cause appearing, orders
2 as follows:

3 Steadfast's Cross-Claim against RHP asserted in its Answer [Dkt. No. 98] is severed from
4 the remainder of the case and shall be tried separately.

5 The parties shall meet and confer and file Discovery Plan regarding the Crossclaim within
6 thirty (30) days of the filing of this Order.

7 IT IS SO ORDERED.

8
9
10 IT IS SO ORDERED.

11 

12 Cam Ferenbach
13 United States Magistrate Judge

14 DATED 6-30-2022
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